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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/575,152

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EXAMINER

THAI, NAM N

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/575,152	<b>Applicant(s)</b> KOKKINEN ET AL.	
	<b>Examiner</b> Nam Thai	<b>Art Unit</b> 2441	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07/17/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This office action is in response to the Application S/N 10/575152 filed on 10/10/2008.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS), submitted on 07/17/2006, has been considered. The submission is in compliance with the provisions of 37 CFR 1.97. Form PTO-1449 is signed and attached hereto.

#### ***Claim Objections***

3. Claims 1, 7, 13 and 17 are objected to because of the following informalities:

On line 11 of claim 1, "actuable" is suggested to be "actuable able to be actuated". Corresponding claims 7, 13, and 17 on their corresponding lines are objected under the same rationale.

#### ***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**5. Claims 7-12 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

**6.** Claim 7 is rejected because the claim as a whole is directed to a computer program per se. Dependent claims 8-12 are rejected under the same rationale.

***Claim Rejections - 35 USC § 102***

**7.** The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**8. Claims 1-20 rejected under 35 U.S.C. 102(b) as being anticipated by Humpleman et al. (US 2001/0038392 A1), hereinafter “Humpleman”.**

**9.** As to claim 1, **Humpleman** teaches a method of using a service discovery device to control devices within a home network (**abstract**) from a remote device (**paragraph [0153], “remotely control home devices”**), comprising:

providing an IP address to each device located within the home network  
(**paragraph [0084], “each home device is associated with a unique IP address”**);

making at least one HTTP request to each of the IP addresses

**(paragraph [0090]);**

receiving information from a HTML page on each of the devices

**(paragraph [0015], lines 6-8 and [0016]); and**

generating a web page containing the received information **(paragraph [0106])**, wherein the web page is accessible from the remote device in response to a request from the remote device to the service discovery device **(paragraph [0153])**, and wherein the generated web page includes a list of links to device web pages for each of the devices located within the home network, the list of links being actuable from the remote device, enabling a user to control each of the devices **(paragraph [0098])**.

**10.** As to claim 2, **Humpleman** teaches the method of claim 1, further comprising recording the received information on the service discovery device **(paragraph [0015], lines 6-9)**.

**11.** As to claim 3, **Humpleman** teaches the method of claim 1, further comprising, upon one of the links being actuated on the remote device, generating a device web page corresponding to the actuated link **(paragraph [0098])**, accessible from the remote device, and wherein actuation of content on the device web page results in manipulation of the respective device **(paragraph [0060], lines 15-20)**.

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**12.** As to claim 4, **Humpleman** teaches the method of claim 1, further comprising:

receiving a MAC address for each of the devices within the home network  
*(it is inherent that MAC address is used to map each machine to its  
predefined/static IP address. This is well known in the art as “static  
DHCP”)(paragraph [0086]); and*

using the received MAC addresses to update the list of links on the web  
page when a change occurs regarding the devices within the home network  
**(paragraph [0085]).**

**13.** As to claim 5, **Humpleman** teaches the method of claim 4, wherein the change  
includes the addition of a new device to the home network **(paragraph [0085]).**

**14.** As to claim 6, **Humpleman** teaches the method of claim 4, wherein the change  
includes the removal of a device from the home network **(paragraph [0085]).**

**15.** As to claim 7, **Humpleman** teaches a computer program product **(paragraph  
[0075])** for using a service discovery device **(abstract)** to enable communication  
between devices within a home network and a remote device **(paragraph [0153],  
“remotely control home devices”)**, comprising:

The remaining limitation of computer program product claim 7  
corresponds to method claim 1 and is rejected under the same rationale.

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**16.** As to claim 8, computer program product claim 8 corresponds to method claim 2 and is rejected under the same rationale.

**17.** As to claim 9, computer program product claim 9 corresponds to method claim 3 and is rejected under the same rationale.

**18.** As to claim 10, computer program product claim 10 corresponds to method claim 4 and is rejected under the same rationale.

**19.** As to claim 11, computer program product claim 11 corresponds to method claim 5 and is rejected under the same rationale.

**20.** As to claim 12, computer program product claim 12 corresponds to method claim 6 and is rejected under the same rationale.

**21.** As to claim 13, **Humpleman** teaches an electronic device for enabling communication between devices within a home network and a remote device (**paragraph [0153], “remotely control home devices”**), comprising:

a processor for processing information (*it is inherent that the server, a home device, must have a processor in order to perform its' functions as disclosed*) (**paragraph [0060]**); and

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a memory unit operatively connected to the processor (*it is inherent that the server, a home device, must have a memory unit in order to perform its' functions as disclosed*) (**paragraph [0060]**), the memory unit including:

The remaining limitation of device claim 13 corresponds to computer program product claim 7 and is rejected under the same rationale.

**22.** As to claim 14, device claim 14 corresponds to computer program product claim 8 and is rejected under the same rationale.

**23.** As to claim 15, device claim 15 corresponds to computer program product claim 9 and is rejected under the same rationale.

**24.** As to claim 16, device claim 16 corresponds to computer program product claim 10 and is rejected under the same rationale.

**25.** As to claim 17, **Humpleman** teaches a system for enabling communication between a remote device and at least one home network device (**paragraph [0153]**, “**remotely control home devices**”), comprising:

a remote electronic device (*it is inherent that there must exist a remote electronic device in order to remotely interact with home devices through the internet*) (**paragraph [0152]-[0154]**);



a home network including at least one home network device (**fig. 1 element 108**) and a service discovery device (**fig. 1 element 102**), the service discovery device including:

The remaining limitation of system claim 17 corresponds to computer program product claim 7 and is rejected under the same rationale.

**26.** As to claim 18, system claim 18 corresponds to computer program product claim 9 and is rejected under the same rationale.

**27.** As to claim 19, system claim 19 corresponds to computer program product claim 10 and is rejected under the same rationale.

**28.** As to claim 20, **Humpleman** teaches the system of claim 17, wherein the service discovery device is located within an access point (**paragraph [0087], lines 7-8**), the access point being in communication with both the remote device and the at least one home network device (**paragraph [0153]**).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam Thai whose telephone number is (571)270-7531. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571)272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nam Thai/  
Examiner, Art Unit 2441

/Wing F. Chan/  
Supervisory Patent Examiner, Art Unit 2441  
6/30/09